

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

JAMES EZELL, III,

Plaintiff,

vs.

Case No. CIV-19-302-JFH-SPS

JAMES YATES, et al.,

Defendants.

**DEFENDANTS' RESPONSE AS DIRECTED BY
THIS COURT'S ORDER [DOC# 207]**

COME NOW Defendants Ade, Bullock, Gentry, Hininger, Hoover, Keys, Patterson, Perez, Pfaff, Pierce, Smith, Underwood, and Yates by and through their attorney of record Darrell L. Moore, OBA 6332, of J. Ralph Moore, P.C., hereby responding to Plaintiff's Motion for an extension of time, as directed by this Court's Order dated February 28, 2022. [Doc. No. 207].

As shown below, these responding Defendants have no ability to effect Plaintiff or Plaintiff's access to a law library. Therefore, as to these answering Defendants, Plaintiff's Motion is moot.

In support of their Response to Plaintiff's Motion, Defendants state as follows:

1. Plaintiff is an inmate in the custody of the Oklahoma Department of Corrections. He was housed by the Oklahoma Department of Corrections at Davis Correctional Facility during time periods relevant to his claims brought forward to the District Court, but Oklahoma moved Plaintiff from Davis Correctional Facility on May 20, 2021.

2. In his recent Motion for an extension of time to respond to Defendants' Motion for Summary Judgment, Plaintiff asserts he is not receiving law library time.


3. A review of the Court's docket for this matter does not show a change of address notification filed by Plaintiff. Oklahoma DOC on-line records indicate Plaintiff is currently housed at the Lawton Correctional Facility.

4. Since Plaintiff's departure from Davis Correctional Facility, these answering Defendants have directed their mailings to Plaintiff at his current place of confinement.

5. Lawton Correctional Facility is owned and operated by The Geo Group. These answering Defendants, employees and former employees of CoreCivic, Inc., have no authority or ability to respond to any requests Plaintiff may be raising regarding his confinement at Lawton Correctional Facility.

WHEREFORE, premises considered, these answering Defendants have responded to Plaintiff's Motion, as directed by the Court. Defendants respectfully request the Court determine Plaintiff's Motion as to these Defendants as moot since Plaintiff was moved from Davis Correctional Facility approximately nine (9) months ago.

Respectfully submitted, Defendants
Ade, Bullock, Gentry, Hininger, Hoover,
Keys, Patterson, Perez, Pfaff, Pierce, Smith,
Underwood, and Yates

By: 

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Certificate of Service

☒ I hereby certify that on March 2, 2022, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Counsel of Record

☒ I hereby certify that on March 2, 2022, I served the attached document by regular US Mail on the following, who are not registered participants of the ECF System:

James Ezell, III, DOC# 237370
Lawton Correctional Facility
8607 SE Flower Mound Rd.
Lawton, OK 73501

s/Darrell L. Moore
DARRELL L. MOORE